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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,573	02/16/2001	Richard F. Creeth	03270- P0001A	4253
24126 7590 07/27/2007 ST. ONGE STEWARD JOHNSTON & REENS, LLC 986 BEDFORD STREET STAMFORD, CT 06905-5619			EXAMINER CORRIELUS, JEAN M	
			ART UNIT	PAPER NUMBER
			2162	
			MAIL DATE	DELIVERY MODE
			07/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/785,573	CREETH, RICHARD F.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean M. Corrielus	2162	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 May 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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**DETAILED ACTION**

1. This office action is in response to the Appeal brief filed on March 05, 2007, in which claims 11-43 are presented for further examination.

***Reopening of Prosecution After Appeal Brief***

2. In view of the Appeal Brief filed on March 05, 2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

***Response to Arguments***

3. Applicant's arguments filed on March 05, 2007, with respect to the rejection(s) of claim(s) 11-43 under 35 USC 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Greenfield US Patent no. 7,010,523 and Perks et al., US Patent 7,191,196.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 11-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The body of claims 11, 24 and 27 does not appear to actually support the preamble by including a step or steps, which accomplish that act of displaying data from a multidimensional database to a user. It also appears that the limitations of the claims do link to each other. Each of the limitation of the claims execute their own function without depending on the other to perform their task, which is difficult to one having ordinary skill in the art to analyze how the limitations as claimed arrive to the novelty of the invention as argued by the applicant. Amendment to claimed limitations is hereby advised.

Claims 12-22, 25-26 and 28-43 are rejected for incorporated the problem of their respective base claims.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11-17 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greenfield et al., (hereinafter "Greenfield") US Patent no. 7,010,523 and Perks et al., (hereinafter "Perks") US Patent No. 7,191,196.

As to claim 1, Greenfield discloses the claimed "a system computer"(a computer system o, item 700 of fig.7; relational database computer system, see item 121 of fig.1); "a multidimensional database accessible by said computer, said multidimensional database having objects stored thereon" (a OLAP data server having stored therein OLAP application and object coupled the relational database computer system, see col.2, lines 50-62); and "object model software executing on said system computer for instantiating and inflating a predefined group of specified objects" (the OLAP application which the object model software executing on the relational database computer system instantiating the multidimensional object, which is a predefined object and then populating (inflating) the predefined object, see col.5, lines 52-55). Greenfield does not explicitly disclose the use of instantiating and inflating nonspecified objects, which are not included in the predefined group of specified objects on demand as each of the nonspecified objects is accessed. However, Greenfield does not disclose the use of creating a new source objects from existing source objects (col.16, lines 61-62), but Greenfield fails to instantiating and inflating the new object. On the other hand, Perks, discloses the above limitation "instantiating

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and inflating nonspecified objects, which are not included in the predefined group of specified objects on demand as each of the nonspecified objects is accessed” (inflating newly instantiating objects, see col. 7, lines 60-61, wherein the newly instantiated objects are from the current class version, which are the new object, see col.7, lines 49-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was to modify Greenfield’s system by incorporating the use of instantiating and inflating nonspecified objects, which are not included in the predefined group of specified objects on demand as each of the nonspecified objects is accessed in the same conventional manner as disclosed by Perks. One having ordinary skill in the art would have found it motivated to use such a modification for the purpose of preventing error when version mismatches are detected between instantiated and inflated data objects.

As to claim 12, Greenfield discloses the claimed “software executing on said computer for receiving from the user an indication of specified objects (the OLAP application service is responsible for receiving from a user a set of objects, see col.8, lines 6-15).

As to claim 13, Greenfield discloses the claimed software executing on said computer for receiving from the user state information (the OLAP application service is responsible for receiving from a user a set of objects, see col.8, lines 6-15).

As to claims 14, Greenfield discloses the claimed wherein the specified object comprises collections of objects (set of objects, see col.10, line 65-col.11, line 12).

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As to claims 15, Greenfield discloses the claimed wherein the specified objects comprise specific properties of objects (a set of property, see col.10, lines 19-24).

As to claim 16, Greenfield discloses the claimed “wherein said multidimensional database comprises a database having multidimensional financial data stored thereon (Relational databases have become the dominant database technology for providing online transactional processing (OLTP) capabilities that are essential for businesses to keep track of their sales, transactions, and other affairs, as a result, data warehouses contain a wealth of data that can yield, after analysis, critical information about a business, such as sales trends and product line profitability in order to provide a crucial edge in an increasingly competitive marketplace, see abstract and col.1, lines 21-31).

As to claim 17, Greenfield discloses the claimed “wherein said multidimensional database comprises an OLAP database” (OLAP applications are based on a multidimensional view of data stored in a data warehouse and work with queries that represent selections of data. The following definitions introduce concepts that reflect the multidimensional view and are basic to OLAP, see col.4, lines 17-21).

As to claims 24-26:

The limitations of claims 24-26 have been noted in the rejection of claims 11-17 above. In addition, Greenfield discloses “a software executing on said computer for receiving from the user

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an indication of specified objects and state information” (the OLAP application service is responsible for receiving from a user a set of objects, see col.8, lines 6-15).

8. Claims 27-43 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

9. Claims 18-23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jean M Corrielus Primary Examiner  
Art Unit 2162

July 23, 2007



JEAN M. CORRIELUS  
PRIMARY EXAMINER

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

*John Breene*